

# HEMINGFORD CO-OPERATIVE TELEPHONE CO.



P.O. BOX 246 - 523 NIOBRARA AVENUE  
HEMINGFORD, NEBRASKA 69348  
(308) 487-3311

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

April 13, 2017

RE: CC Docket No. 02-33 – Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by The Hemingford Cooperative Telephone Company – Study Area #371558.

Dear Ms. Dortch:

Pursuant to the Commission's Wireline Broadband Order, The Hemingford Cooperative Telephone Company hereby provides notice of its intent to discontinue offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2017, The Hemingford Cooperative Telephone Company plans to offer wireline broadband internet access service on a permissive de-tariffed, common carriage basis.

Please direct any questions to the undersigned.

Sincerely,

Tonya Mayer  
General Manager  
The Hemingford Cooperative Telephone Company  
523 Niobrara Avenue  
PO Box 246  
Hemingford, NE 69348-0246

CC: Bruce Chapman – NECA Region Manager

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HEMINGFORD, NEBRASKA 69348  
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Ms. Marlene Dortch, Secretary  
Federal Communications Commission

April 13, 2017

## Notice of Permissive Detariffing of Wireline Broadband Internet Access Service Effective July 1, 2017

The Hemingford Cooperative Telephone Company  
(Study Area 371558)  
523 Niobrara Avenue  
Hemingford, NE 69348  
(308) 487-3311

CC Docket No. 02-33

The Hemingford Cooperative Telephone Company hereby provides notice that it intends to cease offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2017 The Hemingford Cooperative Telephone Company will begin offering wireline broadband access service on a Title II, common carriage, permissive de-tariffed basis pursuant to paragraph 94 of the Federal Communications Commission's Wireline Broadband Order<sup>1</sup>. The geographic area affected is where The Hemingford Cooperative Telephone Company's exchange has DSL technically feasible.

Today, this service is provided to The Hemingford Cooperative Telephone Company's ISP. The ISP purchases wireline broadband access service for use as a component in their broadband internet service sold to residential and business consumers. End user service provided will not be affected by discontinuance of the tariffed offering by The Hemingford Cooperative Telephone Company. As stated in the attached customer notice, The Hemingford Cooperative Telephone Company will continue to offer services to existing ISP customers under current rates, term and conditions until the end of their current term or upon replacement with a Broadband Commercial Agreement. Broadband Commercial Agreements will be made available in a nondiscriminatory manner to any provider desiring to purchase wireline broadband access service for use as a component in its broadband internet service sold to consumers.

Effective July 1, 2017, The Hemingford Cooperative Telephone Company's rates, terms and conditions for its permissively de-tariffed wireline broadband access service will be available at its office located at 523 Niobrara Avenue, Hemingford, Nebraska 69348 and on its website at [www.bbc.net](http://www.bbc.net).

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<sup>1</sup> See *Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005), FCC 05-150 (rel. September 23, 2003) ("Wireline Broadband Order").

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P.O. BOX 246 - 523 NIOBRARA AVENUE  
HEMINGFORD, NEBRASKA 69348  
(308) 487-3311

April 13, 2017

Mobius Communications Company  
PO Box 246  
Hemingford, NE 69348-0246

RE: CC Docket 02-33 – Notice of Permissive De-tariffing of Wireline Broadband Internet Access Service  
by The Hemingford Cooperative Telephone Company – Study Area #371558.

Dear Mobius Communications Company:

Our records indicate that Mobius Communications Company is currently purchasing wholesale broadband transport service from The Hemingford Cooperative Telephone Company under NECA Tariff Number 5 ("Tariff"). This letter is to advise you that The Hemingford Cooperative Telephone Company study area 371558 will discontinue provision service on July 1, 2017, pursuant to the Tariff. Services will be made available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms and conditions will not change until the end of your term or upon replacement with a Broadband Commercial Agreement. The Hemingford Cooperative Telephone Company's rates, terms and conditions for its non-tariffed wireline broadband access service will be available at its office located at 523 Niobrara Avenue, Hemingford, Nebraska, 69348 and on its website at [www.bbc.net](http://www.bbc.net).

The actions described above are taken in accordance with the FCC's Report and Order (FCC 15-150) released September 23, 2005 in Docket No. 02-33. In the order the FCC determined that facilities-based wireline broadband internet service providers could offer their services on a common carrier, permissively de-tariffed basis.

Sincerely,

Tonya Mayer  
General Manager  
The Hemingford Cooperative Telephone Company

Cc: NECA Region Manager

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P.O. BOX 246 - 523 NIOBRARA AVENUE  
HEMINGFORD, NEBRASKA 69348  
(308) 487-3311

## CERTIFICATE OF SERVICE

I, Tonya Mayer, General Manager, do certify that I have, on this 13<sup>th</sup> day of April, 2017:

1. Served by first class mail a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

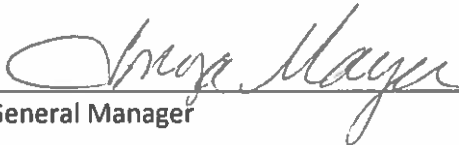
Pete Rickets  
Office of the Governor  
PO Box 94848  
Lincoln, NE 68509-4848

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
1400 Defense Pentagon  
Washington, DC 20301-1400

Nebraska Public Service Commission  
Cullan Robbins  
1200 N Street, Suite 300  
Lincoln, NE 68508

2. Serviced via paper copy of the Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Mobius Communications Company  
PO Box 246  
Hemingford, NE 69348-0246

  
General Manager